

Translation

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PCT/EP2003/000564

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

|  |   |   |
|--|---|---|
| Applicant's or agent's file reference<br>8359  | <b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |   |
| International application No.<br>PCT/EP2003/000564   | International filing date (day/month/year)<br>21 January 2003 (21.01.2003)  | Priority date (day/month/year)<br>06 February 2002 (06.02.2002) |
| International Patent Classification (IPC) or national classification and IPC<br>B29C 47/20 |   |   |
| Applicant<br>WINDMÖLLER & HÖLSCHER KG  |   |   |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

|  |   |
|--|---|
| Date of submission of the demand<br>21 May 2003 (21.05.2003) | Date of completion of this report<br>24 May 2004 (24.05.2004) |
| Name and mailing address of the IPEA/EP                      | Authorized officer  |
| Facsimile No.  | Telephone No.   |

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/000564

## I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1, 3-7, as originally filed,  
pages \_\_\_\_\_, filed with the demand,  
pages 2, 2a, filed with the letter of 20 February 2004 (20.02.2004),  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the claims, Nos. \_\_\_\_\_, as originally filed,  
Nos. \_\_\_\_\_, as amended under Article 19,  
Nos. \_\_\_\_\_, filed with the demand,  
Nos. 1-13, filed with the letter of 20 February 2004 (20.02.2004),  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the drawings, sheets/fig 1/5-5/5, as originally filed,  
sheets/fig \_\_\_\_\_, filed with the demand,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/00564

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

|                               |        |      |     |
|-------------------------------|--------|------|-----|
| Novelty (N)                   | Claims | 1-13 | YES |
|                               | Claims |      | NO  |
| Inventive step (IS)           | Claims | 1-13 | YES |
|                               | Claims |      | NO  |
| Industrial applicability (IA) | Claims | 1-13 | YES |
|                               | Claims |      | NO  |

**2. Citations and explanations**

1. Reference is made to the following document:

D1: DE 100 48 862 C

2. The following should be noted in regard to the requirements of PCT Article 6.

2.1. Since independent claim 11 does not contain all of the essential features (cf. claim 1), this claim does not satisfy the requirement of PCT Article 6, in conjunction with PCT Rule 6.3(b), that every independent claim must contain all of the technical features that are essential to the definition of the invention.

The feature in question is "one part of the fastening means contains coolant supply lines and another part contains coolant discharge lines".

For this reason, claim 11 does not satisfy the requirements of PCT Article 6.

3. With reference to point 2 of the present report, the following should be noted in regard to the requirements of PCT Article 33(2) and (3).

3.1. Document D1 is considered the prior art closest to the subject matter of claim 1. D1 discloses (the references in parentheses are to D1) a tubular film blowing head for extruding single-layer or multi-layer films, the blowing head having at least one circular nozzle gap, and a fastening means (20) for fixing at least two components (1, 15) to each other, said components together limiting the polymer melt-conveying areas within the tubular film blowing head, a fastening means being configured as a coolant-conveying element such as disclosed in the preamble of claim 1.

The subject matter of claim 1 differs from the above in that a plurality of fastening means is provided, which are configured as coolant-conveying elements, one part of the fastening means containing coolant supply lines and another part containing coolant discharge lines.

Therefore, the subject matter of claim 1 is novel within the meaning of PCT Article 33(2).

The problem addressed is that of utilizing the volume of the blowing head more efficiently.

The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons: the prior art does not give any indication of using a plurality of fastening elements to convey the coolant.

3.2. Document D1 also discloses a method for fastening together at least two components (1, 3, 15), which

together limit the polymer melt-conveying areas within the tubular film blowing head according to the preamble of claim 1, the fastening being effected by means of a centrally located fastening means that is configured as a coolant-conveying element, from which the subject matter of claim 11 differs in that the tubular film blowing head is provided with a plurality of fastening means that are configured as coolant-conveying elements.

For this reason, the subject matter of claim 11 is novel within the meaning of PCT Article 33(2).

The problem addressed is that of utilizing the volume of the blowing head more efficiently.

The solution to this problem proposed in claim 11 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons: the prior art does not disclose or suggest using a plurality of fastening elements that also convey coolant.

4. Claims 2-10 are dependent upon claim 1 and thus also satisfy the requirements of PCT Article 33(2) and (3).
- 4.1. Claims 12 and 13 are dependent upon claim 11 and thus also satisfy the requirements of PCT Article 33(2) and (3).